

ESTABLISHING COMPLIANCE SCHEDULES
UNDER THE FEDERAL FACILITIES COMPLIANCE ACT

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The U.S. Department of Energy (DOE) is required by Section 3021(b) of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6721, as amended by Section 105(a) of the Federal Facility Compliance Act (P.L. 102-386), to prepare a Site Treatment Plan (Plan) developing treatment capacities and technologies to treat the mixed waste generated or stored at each DOE facility to the standards promulgated by the U.S. Environmental Protection Agency pursuant to Section 3004 (m) of RCRA. Lawrence Livermore National Laboratory (LLNL) is currently preparing its Plan for the mixed waste at the LLNL in Livermore, California. LLNL's Plan is being provided to the State of California, Region 9 of the U.S. Environmental Protection Agency, and others for review. Upon approval of a plan, the State of California shall issue a Consent Order requiring compliance with the approved plan.

The Plan identifies the currently preferred options for treating LLNL's mixed waste. These options include on-site treatment using existing treatment capabilities, the development of small-scale treatment, the design, permitting and construction of a pilot scale demonstration project for advance treatment technologies, and shipment to off-site treatment facilities. In addition, the Plan proposes overall schedules for each option with target dates for achieving compliance with the land disposal restrictions and procedures for converting these target dates into milestones to be enforced under the Consent Order.

This paper will provide additional background on LLNL's Plan process including development of the mixed waste inventory report, the issues considered in the development of the compliance schedules with particular emphasis on timeframes and constraints outside of LLNL's control (e.g., DOE funding, permits, off-site treatment schedules), and considerations involved in the development of the Consent Order.

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